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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

## NIKOLA CORPORATION.

**Plaintiff and  
Counterdefendant,**

V.

**TESLA, INC.,**

## Defendant and Counterclaimant.

CASE NO. 3:18-cv-07460-JD

**STIPULATION OF VOLUNTARY  
DISMISSAL PURSUANT TO  
F.R.C.P. 41(a)(1(A))(ii)**

Pursuant to F.R.C.P. 41(a)(1)(A)(ii) and the Court’s Standing Order for Civil Cases Before Judge James Donato, Plaintiff and Counterdefendant Nikola Corporation and Defendant and Counterclaimant Tesla, Inc. (collectively the “Parties”) jointly stipulate to the voluntary dismissal without prejudice of all claims and counterclaims alleged by the Parties in this action. In connection with this stipulated voluntary dismissal, the Parties agree that each Party will bear its own costs and fees and neither Party will pursue a Rule 54 Motion for attorney’s fees.

1 Dated: January 4, 2022

Respectfully submitted,

2 By: /s/ L. Richard Williams  
3 L. Richard Williams

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15 Dated: January 4, 2022

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I am a citizen of the United States, over the age of eighteen years, and not a party to the  
within action. I am employed in the County of San Francisco, State of California, and my  
business address is Steyer Lowenthal Boodrookas Alvarez & Smith LLP, 235 Pine Street, 15<sup>th</sup>  
Floor, San Francisco, California 94104.

On the date set forth below, I served a true and correct copy of the following document(s):

**STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO  
F.R.C.P. 41(a)(1(A)(ii))**

[x] By transmitting the above documents to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to CM/ECF registrants.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 4, 2022

  
Alma Caliz

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